

Fair tonight and tomorrow.
Light winds.

NUMBER 5093.

WASHINGTON, MONDAY EVENING, MAY 25, 1908.

FINANCIAL
LAST EDITION
With Closing N. Y. Stock Prices

PRICE ONE CENT.

CANNON SUMMONS FORCES BY WIRE

Believed House Czar Is Planning Passage of Currency Measure Before Close.

MEMBERS ANXIOUS FOR ADJOURNMENT

Many Representatives Have Left Capital for Political Battles at Home.

While members of the House were standing around in groups today, wondering whether Congress would adjourn tomorrow or Wednesday, the sergeant-at-arms of the House was at the telephone office sending to Republican absentees peremptory orders from the speaker to return to Washington.

Confronted by a determined Democratic filibuster and a considerable number of "insurgent" Republicans, the leaders of the House today awoke to the fact that, in the closing hours of Congress, they are running the risk of losing control of the House.

Twenty Republican members have already gone home, and as many more have notified their hotels or boarding houses that they intend to leave the city tomorrow afternoon.

May Not Heed Command.

But it is not at all certain that members will heed the commands to return to Washington or that those who have signified their intention of going tomorrow will postpone their departure. If they fail to comply with the wishes of the leaders and if there is imminent danger of the Democrats and the insurgent Republicans getting control of the legislative machine, the leaders will have recourse to arresting members and holding them before the bar of the House.

This threat, however, has no terrors for some members. These men have troubles of their own at home, being confronted with serious opposition for re-election.

One of them said today: "I've got to go home tomorrow. It's a case of absolute necessity with me. I'd like to stay here to help things out and to please 'Uncle Joe,' but it's a case of whether I can retain my place in Congress. If I stay, I'll be sent out home and arrested, all right. I'll have to run that risk."

Why the absentees have been reeling from their political work in their home districts was kept secret, but there is a general impression that, just before the session ended, the House passed a measure passed by the House today there was a chance that something of this sort might be done.

Republicans Want Strength.

The present plan is to have the Senate agree to an amended form of the Vreeland bill, and from this arises the necessity of having all the Republican strength of the House present, as it will be necessary to have the amendments accepted by the House. It is not yet certain, however, that the Senate will agree to the program mapped out by the House. That is what is being attempted, but whether it will be carried out is still in doubt.

Republicans of the House are insistent that some emergency currency bill should be passed and signed by the President as a political precaution. As has been pointed out repeatedly in the Times, they fear that a repetition of last October's panic will mean the defeat of the Republican party at the polls, when the country is so forcibly reminded that a Republican Congress took no steps against such a catastrophe.

Want to Get Away.

In the meanwhile, all arguments having failed to get the House leaders to set a definite date for adjournment, the impatient Senators who are anxious to get away from Washington are now hopeful that the hot rays of Old Sol will make Speaker Cannon and his associates realize that it is time to quit. Senators who called at the White House today expressed their anxiety at the slow moving machinery of the House, and predicted that little could be accomplished by further postponing adjournment. Senator Charles McNamara, of California, said that he would not leave for his home until Wednesday night, but the Congressman who called on the President today were not so hopeful, and said that they could not get away before Wednesday night.

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WEATHER REPORT.

Since Saturday, excessive rains have augmented flood conditions in the streams of the Southwestern States. Rains have also occurred generally over the region between the Mississippi river and the Rocky mountains, and in localities the rainfall has been heavy.

Temperature is above the seasonal average from the Mississippi valley to the Atlantic coast, and is 10 to 15 degrees above the normal in the upper Mississippi and lower Missouri valleys. From the Rocky mountains to the Pacific coast temperature is slightly below the normal.

During the next thirty-six hours the weather will continue fair and warm in the Middle-Eastern and the Southern States. Showers are likely to occur, however, along the South Atlantic coast, in the mountain districts of the Southeastern States, and in the Ohio valley. By Wednesday the rain area is likely to reach the Atlantic States.

Steamers departing today for European ports will have light variable winds, shifting to southeasterly, and fair weather to the Grand Banks.

TEMPERATURES.

At 6 a.m. Weather Bureau, 74
9 a.m. " " " " " " " " 74
12 noon " " " " " " " " 83
1 p.m. " " " " " " " " 85

SUN TABLE.

Sun rises..... 4:39
Sun sets..... 7:34

TIDE TABLE.

High water today..... 4:27 p.m.
Low water today..... 10:58 p.m.
High water tomorrow..... 4:50 a.m.
Low water tomorrow..... 11:58 a.m.

BRENNAN LAWYER HITS DEPARTMENT

Overruled in Effort to Side-track the Fernald Hearing.

LATTER'S DEPOSITS MOSTLY IN CASH

Bank Cashier and Contractor Cranford Principal Witnesses of the Day.

With the statement that, in the opinion of the attorneys for Brennan, the charges of corruption against Fernald have been substantiated, Attorney Charles A. Douglas today requested the Commissioners that any other such evidence be submitted direct to the District Attorney, and that the hearing before them proceed along the lines of the allegations regarding favoritism in the giving of District contracts.

"As citizens," said Mr. Douglas, "Mr. Brennan and Mr. Beall, of the Beall Construction Company, are willing to lend their aid toward investigating the Engineer Department, or any other department of the District government. In view of the action of the Commissioners in submitting evidence relating to Fernald to the District Attorney, we ask that this hearing be confined from this point to the charge of favoritism."

Deposits in Cash.

That the majority of the deposits made by Charles Fernald during a period of three and a half years, and aggregating approximately \$16,000, were made in cash, was the testimony offered by Henry H. McKee, cashier of the National Capital Bank, of Washington.

From the records of the bank, Mr. McKee produced fifty-eight deposit slips which showed, he said, that but six deposits were made in checks, the remainder consisting of cash, to the amount of \$1,000 and more at one time. Attorney Douglas, counsel for Brennan, went over the slips, to show that all of the large deposits were made in cash, while smaller amounts only were deposited by check.

Asked by Mr. Douglas whether it was not unusual for a depositor to place such large amounts in cash, the witness said that it was not, though conceding the entire clientele of the institution it is the exception and not the rule.

Cranford on Stand.

The contract for paving First street, which was awarded to the Cranford Paving Company, and which was later re-advertised as the result of a protest by the Beall Construction Company, was the subject of cross-examination by Attorney Douglas of Percy Cranford, who was on the stand when the hearing adjourned Friday.

It was on this contract that the Cranford Paving Company submitted a bid of \$1,000, which was rejected by the Engineer Department on the day on which the bids were opened between Fernald and Percy Cranford. In reply to a question by Attorney Douglas, Mr. Cranford said that the amount of their bid was determined by himself and his brother, Joseph H. Cranford, on the preceding evening. His brother, he said, thought the amount of their bid, \$1,000, was too low.

Forgot the Bid.

Having business in the office of Robert Farnham, an engineer of the Pennsylvania Railroad, Mr. Cranford said that about 1:30 he met Fernald as he was entering the office, and was reminded by him that his bid for the First street work was not in. It was after this conversation, he said, that the bid was filled out and given to Fernald.

"Then," said Mr. Douglas, "you met Fernald at the psychological moment, when you should have been thinking of your bid for this work was not in." J. S. Flannery, attorney for the Cranford Paving Company, as to its bid, the question, and a discussion as to its admissibility arose, which was ended by Mr. Douglas saying that the witness had answered the question. "You were very much interested in securing this contract, were you not?" returned the attorney.

"But I also was interested in a contract for some Baltimore and Ohio work, and the District proposal slipped my mind," Mr. Cranford replied that this was the only large contract which had escaped his memory, but that he had forgotten smaller proposals.

Saving to District.

In reply to a question by Mr. Douglas, Mr. Cranford said that in view of an opinion of the Comptroller of the Treasury, in which it was held that the bids should be readvertised, as it was awarded irregularly, the contract was awarded to the Brennan Construction Company, at a saving of \$1,000 to the District. On the second proposal submitted a bid \$500 lower than their first proposal, giving as a reason that at that time the company might have been more desirous of obtaining the work than when it submitted its first bid.

Going into the alleged offer by Sidney Bieber to the Brennan Construction Company, Douglas asked who would have been favored by the elimination of Brennan. Objection was again raised by Attorney Flannery, but the question was permitted, and the witness replied that the other bidders, the Barber Asphalt Company and the Cranfords, would have been benefited.

Dental that Bieber in any way represented them in the deal between Brennan and Bieber, has been made by

(Continued on Fourth Page.)

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PRINCIPALS IN THE PHILIP MURDER TRIAL



Justice Job Barnard.



Gaston Philip, Washington Clubman on Trial for Murder of Cabman Friend. Montgomery Philip and Captain Van Ness Philip, Brothers of the Accused Man.



Sketch of Gaston Philip at the Opening of His Trial Today.

THAW HELD INSANE; STILL A PRISONER

Justice Morschauer Today Gives Decision on Recent Hearing.

POUGHKEEPSIE, N. Y., May 25.—Harry Thaw is insane, according to a decision filed by Supreme Court Justice Morschauer, in the county clerk's office here today.

His mental disorder is so manifest, the justice holds, as to render it unsafe to free him. It also is denied that his commitment to Matteawan by Justice Dowling was unconstitutional, as maintained by the young Pittsburgher's counsel.

Though utterly defeated in his attempt to regain his liberty through habeas corpus proceedings, Thaw, at least temporarily, has gained one point. Justice Morschauer has promised not to recommend him to the Matteawan Asylum for the Criminal Insane until a plea can be submitted for his transfer to another of the State institutions for the mentally unsound.

As the justice went to White Plains today to hold court, and will not be back until Saturday, Thaw has at least another week in his comfortable quarters in the court house here. If, in the meantime, his counsel can secure District Attorney J. Rome's consent to the transfer, the prisoner will not again have to undergo the rigorous Matteawan discipline, which, he says, made the three months he spent there seem longer than the nineteen during which he occupied a cell in the Tombs.

Will Not Give Up.

Thaw's attorneys said some time ago that in the event of an adverse decision by Justice Morschauer they would carry the habeas corpus case to the court of appeals. Should he be able to arrange, however, to exchange Matteawan for a more comfortable place of confinement, it is understood that there will be no appeal.

After a lapse of time, it is tacitly admitted by Thaw's lawyers that another attempt will be made to secure his discharge as cured, the law permitting applications similar to the last one as often as the prisoner chooses to institute proceedings.

Justice Morschauer's decision makes reference to the testimony given by experts at the hearing of the habeas corpus case. It does not say from what form of insanity Stanford White's slayer is suffering, merely finding that he has "some form of insanity, with the possible recurrence of an attack similar to that from which the jury believes he was suffering when he killed the New York architect."

Pointing out that while there is a right to appeal, no court should declare in the first instance a statute unconstitutional unless its unconstitutionality is plain, because the effect of such action would be to free many persons whose liberty would endanger public safety, the justice says. He continues: "It is alleged that Thaw is illegally restrained of his liberty, and his detention is attacked upon these grounds: 'First—That he is not insane.' 'Second—That the act under which he was committed is unconstitutional.' 'Menace to Public.'"

"I am satisfied from the evidence adduced before me that the mental condition of Harry K. Thaw has not changed and I find that he is now insane and that it is so manifest as to make it unsafe for him to be at large. 'I believe no injustice has been done to Thaw or will be done to him by depriving him of liberty until such time as he can be discharged by the methods prescribed by law. Bearing in mind that the usual punishment for the act that led up to the detention of Thaw is death, or a long term of imprisonment, or that Thaw escaped the consequence of such act solely by reason of his existing mental condition, I do

(Continued on Eleventh Page.)

LAUNDRIES ROUGH, THINKS MR. MOORE

Introduces Bill to Make Them More Polite to Clothes.

J. Hampton Moore, a wealthy Representative in Congress from Philadelphia, is vexed as a result of the treatment of his clothes have received in the laundries of Washington.

"If the prosperous laundrymen continue to do as they have done, we might as well hand over our linen to the sport of the bulldog and the billygoat," said Mr. Moore today, in announcing that he had introduced a bill to tax all laundries and to prohibit the use of "all acids and violent machinery in laundering clothes."

Mr. Moore, who has a record for attending banquets and using up white shirts, continued as follows: "My bill also provides for a plan of systematic inspection of laundries, and imposes a fine of \$100 for every violation of the terms of the bill. As matters now are in Washington, a man sends a shirt to the laundry and it is sent back to him as frayed as a flag which has been whipped by the breeze. This is all wrong."

Mr. Moore went on to explain that a really good shirt should withstand more than one assault from the violent machinery ordinarily used in laundries. He described himself as being intensely grieved because the perfidious and merciless teeth of the cleaning machines rend and rip the garments that are put through them. He intends to do everything in his power to see that the bill is passed next session.

FRENCH PRESIDENT GUEST OF ENGLAND

Greeted at Victoria Station by King's Party and Driven to Palace.

LONDON, May 25.—President Fallieres of France arrived here at 4:15 o'clock this afternoon for a four-days' visit.

King Edward, the Prince of Wales, Premier Asquith, Lord Grey, the Duke of Argyll, and a brilliant following of noblemen and statesmen greeted him at Victoria station and drove with him through brilliantly decorated but police-lined streets to the St. James palace.

The President's farewell from Paris was as elaborate as if he had been leaving for many months. Embarking on the cruiser Leon Rambez, he was met in mid-channel by a convoy of British cruisers, which acted as his escort to Dover.

WOMAN'S MURDER REVEALED BY KEG

Latter, Losing Weight, Brings Body to River's Surface.

NEW YORK, May 25.—A brutal murder that promises to rival the great mysteries of New York, came to light today, when Captain Bockenover, of the Harlem river tugboat No. 3, discovered the body of a woman floating in Little Hell Gate, with a keg tied to one leg. The keg evidently had contained stones for sinking the body, but the bottom had dropped out, and the body had come to the surface.

The face of the woman was beaten and gashed almost beyond recognition. The body is that of a woman about thirty-five years old, 5 feet 7 inches tall, and weighing probably 145 pounds. She had light brown hair and blue eyes. The body was clothed in a winter jacket, with a dark skirt and striped shirt waist.

The first examination showed plainly that a murder had been committed. The woman's face had been smashed and pounded in fearful fashion. There was a gash from one corner of her mouth, around to the ear, while her nose was completely beaten in. Her skull also had been fractured.

After examination, the police were of the opinion that the woman had been killed on some canal boat. Then the body had been fastened to a keg filled with rocks and dumped overboard. Unfortunately, for the murderers, the body of the barrel could not stand the strain. It gave way, letting the rocks out, and then the gases accumulating in the body, and the light wooden barrel, brought all to the surface.

From the general appearance the police thought that the murder must have been committed within a week. Detectives have begun the search of the canal boats, and some of the lower dives along the Harlem river.

EDWARD TO HONOR KING OF PORTUGAL

LISBON, May 25.—It is stated on good authority here that King Edward of England will confer the Order of the Garter on King Manuel. The information is said to come from the British foreign office, where every effort was made to keep it secret.

GEN. EVAN MILES DEAD.

SAN FRANCISCO, May 25.—Brig. Gen. Evan Miles, retired, is dead at his home here. General Miles served with distinction during the civil war and through a number of Indian campaigns in the West. He was also in Cuba. General Miles was born in McVeytown, Pa., March 28, 1838, and entered the army as a first lieutenant.

Through Sleeping Cars to Cleveland and Chicago via the Pennsylvania Railroad. Leave Washington at 5:45 p. m. daily, on the "Chicago Limited." No extra fare. Adv.

PHILIP ON TRIAL FOR KILLING CABMAN

Battle for Life of the Wealthy Clubman Begun This Morning.

BROTHERS IN COURT WITH THE PRISONER

Defendant Watches Men in Jury Box Closely and Converses With His Counsel.

Gaston Philip, the wealthy clubman and son of the old Van Ness family of Washington and New York, accused of the murder of Frank Macaboy, a cabman acquaintance, at the Arlington Hotel, May 18, 1907, this morning went to trial for his life before Justice Job Barnard, in Criminal Court No. 2.

Just before noon the court adjourned until tomorrow morning, when a special venire of fifty taxmen will be on hand. The panel of twenty-five jurors was exhausted quickly this morning, and when the court adjourned eleven men sat in the jury box, all of them subject to peremptory challenge.

Court Room Crowded.

An air of suppressed excitement pervaded the court room during the proceedings preliminary to the drawing of the jury. Half an hour before the crisis formally declared the court opened, the room was filled with spectators to the capacity of the seats and standing room. There was not a woman in the audience. Mabel Davis, who will be called as a witness for the defense, had taken a seat in the ante-room, but she was excused with the other witnesses until after the completion of the work of selecting a jury.

Gaston Philip, the defendant, entered the court room half a minute before Justice Barnard entered and the court was opened. He took a seat directly behind his attorneys, Henry E. Davis and A. A. Hoehling.

His two brothers, Capt. Van Ness Philip and Hoffman Philip, accompanied him to court and occupied adjoining seats, where they could converse with him. Hoffman Philip is the secretary of the American Legation, and consular general at Tangier, Morocco. He made the long journey to Washington in order to be with his younger brother's side during the most trying ordeal of his life. Captain Van Ness followed the choosing of the jury closely, and took notes of the proceedings, conferring with counsel regarding the jurors.

Philip Watches Jury.

The young clubman accused of the murder of the cabman, took a keen interest in every word, and as each juror rose to be examined by counsel, he looked at them intently, taking a mental observation of each man's characteristics.

He was easily the tallest man in the courtroom. Attired in a light-weight summer suit of a greenish hue, white vest, and dark green tie, clean shaven, and presenting a well-groomed appearance, he was a noticeable figure in the scores of lawyers, relatives, and newspaper men who sat within the inclosure.

The young man's face showed the beneficial effects of the quiet life he has been leading at the family home at Claverack, N. Y. He was tanned, and looked as healthy and strong as an athlete. His eyes were a deep blue, and his hair a quiet blond. His eyes are brown and large. There is no weakness in his mouth or chin, and his entire bearing betrays the confidence of a man on trial for his life.

There is a perceptible resemblance between the accused and his two older brothers, although they both wear mustaches, and are not built so heavily.

Jurors Examined.

Assistant District Attorneys Turner and McNamara examined the jurors for the Government, and Henry E. Davis for the defense. At the end of a hour and a half the entire panel was exhausted. Ten men were excused by the court, because they did not believe in the infliction of capital punishment, and one because of his reputation as a contractor. The jury would greatly interfere with his business.

Three peremptory challenges were exercised by the Government and one by the defense. Fred W. Flügge, a merchant of 474 Pennsylvania avenue, and William A. Buckley, a brewer at the Riggs Hotel, were excused by the Government, because of their acquaintance with the defendant. Albert W. Cullen, a contractor of 161 U. Street, northwest, was objected to by Mr. Davis because he said he knew Frank Macaboy, the dead cabman.

Eleven Men in Box.

The eleven men who remained in the jury box, subject to challenge, when the court adjourned, were John P. Lovett, 209 Third street, barber; Robert Soltnan, 715 Eighth street northwest, pattern maker; Thomas J. Stanton, 306 0 Street northwest, real estate and grocer; Thomas J. Ryan, 302 P Street, metal worker; David Atkins, 810 C Street southeast, produce dealer; Benjamin J. Leach, 227 Champlain avenue, foreman; Samuel Berry, 28 Nichols avenue, Anacostia, laborer; Samuel J. Hall, 1105 Virginia avenue southwest, clerk; Henry Weigel, 25 Quincy street, manufacturer; George W. Mason, 28 Nichols avenue, Anacostia, undertaker; and James D. Flach, 1908 Ninth Capitol street, painter.

MONEY COMMISSION WILL ENJOY JUNKET

"The Currency Commission will have an opportunity to enjoy a beautiful junket," said Representative Sulzer of New York, at the White House today, when asked as to the nature of the work the proposed commission will do during the summer. Mr. Sulzer said he had no doubt that the bill creating the commission would pass.

"They will have a chance to see bankers," he said, "and arrange for campaign contributions. The one who will give up the most now will get the most by autumn."

CAPITOL ADDITION FAVORED IN HOUSE

Bill Provides \$4,000,000 for Grounds and Lincoln Memorial.

With the sanction of Speaker Cannon, the House Committee on Library today favorably reported a bill for the enlargement of the Capitol grounds and the erection of a monument to Abraham Lincoln. The project is one of the most imposing ever advocated by a committee of Congress.

The bill appropriates \$4,000,000 for the purchase of thirty-eight acres of ground extending westward from the Senate office building, as far as New Jersey avenue, and from the northerly end of the Capitol grounds as far as Massachusetts avenue. This tract is larger than the present area of the Capitol grounds.

It is expected by the committee that the House, and, perhaps, the Senate, will pass the measure this session. It puts the acquisition of the land in the hands of a commission composed of the Vice President, the Speaker of the House, and the Superintendent of the Capitol Buildings and Grounds. In its report the committee says:

"There should be a memorial to Lincoln, in its way as noble and as impressive as the monument to Washington. They are the two great figures in American history. If the memorial to Lincoln were placed in the part of the city where the monument to Washington is situated, it would destroy the monumental balance of the city."

In addition to the \$4,000,000 appropriated for the purchase of the land, \$1,000,000 is set aside for the construction of the memorial to Lincoln.

METHODISTS CHOOSE DR. WM. A. QUAYLE

Chicago Minister Is Elected Bishop on Tenth Ballot at Conference.

BALTIMORE, Md., May 25.—The Rev. William A. Quayle, of Chicago, was elected bishop on the tenth ballot on the Methodist Episcopal conference today.

Dr. Quayle was born at Parkville, Mo., in 1860, and graduated from Baker University. He was ordained to the ministry in 1886, and was a member of the hymnal revision committee of the Methodist Episcopal Church. He has contributed several essays to the magazines. He is now the pastor of St. James M. E. Church, in Chicago.

There was no election on the eleventh ballot. The votes for the five highest men on the ballots announced today follow: Tenth ballot—The Rev. Dr. W. A. Quayle, of Chicago, 69; elected; the Rev. W. E. Lewis, Sioux City, Iowa, 43; the Rev. H. C. Stuntz, Philippine Islands, and the Rev. C. W. Smith, Pittsburg, 44; the Rev. Robert McIntyre, Los Angeles, Cal., 39.

Eleventh ballot—The Rev. C. W. Smith, 49; the Rev. W. E. Lewis, 48; the Rev. E. H. Hughes, of Indiana, 44; the Rev. H. C. Stuntz, 40, and the Rev. Robert McIntyre, 35. Necessary to election, 510.